

CHAPTER 20.64

TRANSPORTATION DEMAND MANAGEMENT ORDINANCE

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20.64.010 Findings

The City Council of the City of Newport Beach finds that, generally, increased traffic congestion contributes to deterioration in air quality, inefficient use of energy resources, and adversely impacts public and private sector economics due to reduced productivity of the work force. The City Council further finds that Transportation Demand Management (TDM) strategies can be effective in reducing traffic congestion and should be implemented by local government as part of the region-wide efforts to improve air quality, conserve energy and enhance the effectiveness of existing transportation facilities.

20.64.020 Purpose

The City Council of the City of Newport Beach declares that this chapter is intended to meet the requirements of Government Code Section 65089(b)(3), which requires development of a trip reduction ordinance and travel demand element to the Congestion Management Program, and Government Code Section 65089.3(b) which requires adoption and implementation of a Trip Reduction and Travel Demand Ordinance.

20.64.030 Definitions

For purposes of this chapter, the definitions for the following terms shall apply:

- A. Alternative Transportation Modes. Any mode of travel that serves as an alternative to the single occupant vehicle. This can include all forms of ridesharing, such as carpooling or vanpooling, as well as public transit, bicycling or walking.

- B. New Development Project. Any non-residential project being processed where some level of discretionary action by a decision-making body is required.

20.64.040 Transportation Demand Management Requirements

No building or grading permit shall be issued, and no construction shall commence, for any project covered by this chapter until the Planning Commission makes written findings that Transportation Demand Management program has been developed which will:

- A. Reduce the number of peak-period vehicle trips generated in association with the additional development; and,
- B. Promote and encourage the use of alternative transportation modes, such as ridesharing, carpools, vanpools, public transit, bicycles and walking; and,
- C. Provide those facilities that support such alternate modes.

20.64.050 Applicability

This Chapter shall apply to all new, nonresidential development projects that are estimated to employ a total of one hundred (100) or more persons, or the current limit set by the South Coast Air Quality Management District (SCAQMD) in Rule 2202, whichever is lower at the time of project submittal. For the purposes of this section, the effective date of project submittal shall be that date upon which the Planning Department accepts the application as complete.

20.64.060 Employment Generation Factors

The following generation factors are the basis for determining employment projections in the absence of more specific information:

<u>Land Use Category</u>	<u>Gross Square Feet/Employee</u>
Retail	500
Office/Professional	250
Industrial	525
Hotel	1.0/room

Employment projections shall be developed by the project applicant, subject to approval by the City.

20.64.070 Site Development Requirements

All developments shall be subject to the following site development requirements of this chapter:

- A. Carpool Parking. A parking space shall be reserved and designated for each identified carpool. Carpool spaces shall only be used by carpool vehicles and shall be located near the employee entrance or at other preferential locations, as approved by the City Traffic Engineer. A minimum of 5 percent of the provided parking shall be reserved for carpools. Additional spaces shall be designated for each new carpool which forms.
- B. Bicycle Lockers. Bicycle lockers shall be provided for use by employees or tenants who commute by bicycle. A minimum of 2 lockers per 100 employees shall be provided. Additional lockers shall be provided at such time as employees or tenants demonstrate demand and may be installed in designated vehicle parking spaces at the ratio of 3 lockers for each space. Demand shall be deemed to have been demonstrated when an employee or tenant commits to riding an average of 2 days per week.
- C. Lockers and Showers. A minimum of 1 shower and 2 lockers shall be provided. Provisions shall be made for a second shower and additional lockers to be installed at such time as 4 or more persons within any one-hour period indicate a need to shower as a result of bicycling, running, walking, or other commute mode likely to result in such a need.
- D. Information on Transportation Alternatives. A commuter information area shall be provided in 1 or more central areas that are accessible to all employees or tenants. Information shall include, but not be limited to, current maps, routes and schedules for public transit; ridesharing match lists; available commuter incentives and ridesharing promotional material supplied by commuter-oriented organizations.
- E. Rideshare Vehicle Loading Area. A rideshare vehicle loading area shall be designated at a location approved by the City Traffic Engineer. Such areas shall accommodate a minimum of 2 passenger vehicles for the first 25,000 square feet of development, plus 1 for each 50,000 square feet of additional development or fraction thereof.
- F. Vanpool Accessibility. The design of all parking facilities shall incorporate provisions for access and parking of vanpool vehicles. Where applicable, a minimum 7'-2" vertical clearance shall be provided and the spaces shall be located near the employee entrance or other preferential location, as may be approved by the City Traffic Engineer. A vanpool space shall be reserved and designated for each identified vanpool at the site.
- G. Bus Stop Improvements. Bus stop improvements, including bus pullouts, bus pads, and right-of-way for bus benches and shelters shall be required for developments located along arterials where public transit exists or is anticipated to exist within 5 years. Improvements shall be developed in consideration of the level of transit ridership and the impact of stopped busses on other traffic. All such improvements shall be reviewed by the appropriate public transit agencies.

20.64.080 Equivalent Facilities or Measures

The project applicant shall have the option of deleting or modifying any or all of the site development requirements if equivalent facilities or measures are provided. The applicant must demonstrate the equivalency of the proposed measures to the satisfaction of the Traffic Engineer prior to consideration by the Planning Commission.

20.64.085 Enforcement

To assure that applicable developments comply with the provisions of this Chapter, the City shall, following written notice to subject property owner or designee, initiate enforcement action(s) which may include, but not be limited to, the following:

- A. Withholding issuance of a Building Permit or Certificate of Occupancy.
- B. Issuance of Stop Work Orders.

20.64.090 Appeal

- A. The determination of the Planning Commission shall be final unless there shall be an appeal by the applicant or any other person pursuant to the procedure set forth in Chapter 20.95. Such appeal shall be limited to evidence presented before, and the findings of, the Planning Commission.
- B. The City Council shall have a right to call for review as set forth in Chapter 20.95, as limited above.